

REMARKS

Applicant has studied the Office Action dated August 11, 2006. It is submitted that the application is in condition for allowance. Claims 1-19 are pending. Reconsideration and allowance of the claims in view of the following remarks are respectfully requested.

Claims 1, 6-13, and 16-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by Liu et al. (U.S. Patent Application Publication No. 2004/0048468). Claims 2-5, 12, 14, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liu et al. in view of Applicant's Admitted Prior Art ("AAPA"). These rejections are respectfully traversed.

The present application has a priority date of September 12, 2002 (i.e., the date the corresponding European patent application was filed). The Liu et al. reference cited by the Examiner was filed in the U.S. Patent and Trademark Office on September 10, 2002, which is only two days before the priority date of the present application. Applicants are filing Declarations under 37 C.F.R. § 1.131 along with a letter from the Assignee and a patent proposal made by Applicant (with English translations) that were prepared prior to September 10, 2002 (see Attachments). This establishes that the invention claimed in the present application was conceived prior to September 10, 2002, and that due diligence was exercised from prior to September 10, 2002 to the date of constructive reduction to practice (i.e., September 12, 2002 when the priority document was filed). Thus, the invention claimed in the present application was invented prior to September 10, 2002. The Liu reference cited by the Examiner has a 35 U.S.C. § 102(e) date of September 10, 2002, which is after the invention claimed in the present application was invented. Therefore, Liu cannot properly be cited against the present application as a prior art reference in a rejection under 35 U.S.C. § 102(e) or in a rejection under 35 U.S.C. § 103(a).

Further, Applicant submits that, without the Liu reference, the AAPA fails to render the invention recited in the pending claims obvious under 35 U.S.C. § 103(a). Therefore, it is respectfully submitted that the rejections of claims 1-19 under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) should be withdrawn.

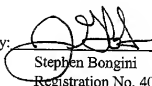
In view of the foregoing, it is respectfully submitted that the application and the claims are in condition for allowance. Reexamination and reconsideration of the application are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at (561) 989-9811 should the Examiner believe a telephone interview would advance the prosecution of the application.

Respectfully submitted,

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